



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

CITY OF MANCHESTER

Complainant

v.

MANCHESTER FIREFIGHTERS,
LOCAL 1856, IAFF

Respondent

CASE NO. F-0104:25

DECISION NO. 92-199

MOTION TO REOPEN HEARING

The Board, meeting at its offices in Concord, New Hampshire, on December 17, 1992, took the following actions:

1. It reviewed the City's Motion for Hearing filed November 30, 1992.
2. It reviewed the initial unfair labor practice (ULP) complaint filed by the City on October 2, 1991 seeking to enjoin grievance arbitration; the Union's answer and objection to the staying of arbitration proceedings filed October 17, 1991; its decision (Decision No. 92-21, February 3, 1992) denying the City's Motion to Stay Arbitration; its decision (Decision 92-49, March 10, 1992) denying the City's Motion for Rehearing of Decision 92-21; the arbitrator's decision and award dated May 22, 1992; the City's Motion for Rehearing and Reconsideration dated June 11, 1992; the Union's objection thereto dated June 17, 1992 and its decision (Decision No. 92-124, July 14, 1992) again denying rehearing, noting that the arbitrator's award had already been issued.
3. It reviewed the memorandum opinion of the New Hampshire Supreme Court in Appeal of the City of Manchester (No. 92-475, November 18, 1992) in which the Court found the City's appeal to stay

arbitration to be moot and its appeal of the ULP to be premature because no hearing had been held on the merits.

4. It GRANTED the City's Motion for Hearing dated November 30, 1992 for the limited purposes of affording the parties an opportunity to show cause why the PELRB should or should not enforce the arbitrator's award dated May 22, 1992 in accordance with authority conferred on the PELRB under RSA 273-A:5 and 273-A:6.

So ordered.

Signed this 8TH day of JANUARY, 1993.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding.
Members Seymour Osman and E. Vincent Hall present and voting.